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| APPLICATION NO.                                   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/708,047  | 02/05/2004  | Wen-Huang Liu        | KYCP0014USA         | 2046             |
| 27765   | 7590        | 08/04/2005           |                     |                  |
| NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC) |             |                      |                     |                  |
| P.O. BOX 506                                      |             |                      |                     |                  |
| MERRIFIELD, VA 22116                              |             |                      |                     |                  |
|   |             |                      | EXAMINER            |                  |
|   |             |                      | PRENTY, MARK V.     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2822                |                  |

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/708,047

Applicant(s)

LIU ET AL.

Examiner

MARK PRENTY

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 18 and 24 is/are rejected.
- 7) ☒ Claim(s) 3-17, 19-23, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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This Office Action is in response to the papers filed on February 5, 2004.

The drawings filed on July 20, 2004 are objected to because Fig. 2's numbers 215 and 225 are not aligned with their respective layers (compare that Fig. 2 with the Fig. 2 filed on February 5, 2004). Correction is required.

The specification's paragraph [0023] is objected to because "PI, BCB, and PFCB" is unclear (i.e., it is unclear what those materials are). Correction is required.

Claim 19 is objected to because "PI, BCB, and PFCB" are unclear (i.e., it is unclear what those materials are). Correction is required.

Claim 20 is objected to because "the conductive transparent adhesive layer" lacks antecedent basis. Correction is required (note that claim 3 would provide antecedent basis for "the conductive transparent adhesive layer").

Claim 21 depends on claim 20 and is thus similarly objected to.

Claims 1, 2, 18 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent 6,396,082 to Fukasawa et al. (Fukasawa).

With respect to independent claim 1, Fukasawa discloses a light-emitting device with compound substrate comprising (see the entire patent, including the Fig. 2 disclosure): a compound substrate comprising a high thermal conductive layer 27 and a substrate 22 disposed around the high thermal conductive layer; an adhesive layer 37 formed on the compound substrate; and a light-emitting stack layer 29 formed on the adhesive layer.

Claim 1 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Fukasawa.

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With respect to dependent claim 2, Fukasawa's adhesive layer is a transparent adhesive layer (see column 4, lines 32-35).

Claim 2 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Fukasawa.

With respect to dependent claim 18, Fukasawa's substrate 22 comprises glass (see the paragraph bridging columns 3-4).

Claim 18 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Fukasawa.

With respect to dependent claim 24, Fukasawa's light-emitting stack layer 29 comprises AlInGaN (see column 4, lines 16-18).

Claim 24 thus rejected under 35 U.S.C. 102(b) as being anticipated by Fukasawa.

Claims 3-17, 22, 23, 25 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record does not disclose or suggest the allowable light-emitting device with compound substrate taken as a whole, including the adhesive layer.

United States Patent Application Publication 2004/0104393 and United States Patent 6,876,005 are relevant to this application.

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Registered practitioners can telephone the examiner at (571) 272-1843. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (571) 272-2800.

*Mark Prenty*  
**Mark V. Prenty**  
**Primary Examiner**